

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BOSTON DIVISION
DOCKET NO. 05-11682

L & T YACHT SALES, INC.)
PLAINTIFF,)
)
VS.)
)
POST MARINE, INC.)
DEFENDANT)

**PLAINTIFF, L & T YACHT SALES, INC.'S OPPOSITION TO DEFENDANT POST
MARINE, INC.'S MOTION FOR SUMMARY JUDGMENT**

(ORAL ARGUMENT REQUESTED)

Now comes Plaintiff, L & T Yacht Sales, Inc., and respectfully opposes the Defendants Motion for Summary Judgment.

As grounds and in support thereof, the Plaintiff states that there are disputed issues of material fact that must be resolved by a trial on the merits and that the Defendant is not entitled to judgment against the Plaintiff as a matter of law. In support hereof, Plaintiffs submits its and Response and Objection to the Defendant's Statement of Material Facts and its Brief.

WHEREFORE, the Plaintiff respectfully requests that the Defendant's Motion for Summary Judgment be DENIED.

The Plaintiff,
By its Attorneys,

/s/ John E. Zajac
John E. Zajac, Esquire BBO # 560195
CARMICHAEL, ZAJAC & FLEURY, P.C.
170 High Street
Taunton, MA 02780
(508) 821-2552

CERTIFICATE OF SERVICE

I, John E. Zajac, Esquire this 13th day of July, 2007 have given notice of the within Plaintiff's Opposition to Defendant's Motion for Summary Judgment, Statement of Material Facts and Memorandum via e-mail service to the Court's CM/ECF and by regular mail, postage pre-paid to Michel O. Weisz, Esquire at his 9350 S. Dixie Highway, Miami, FL 33156.

/s/ John E. Zajac
John E. Zajac, Esquire